IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2347 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE KUNDAN SINGH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

VIJAY NATVARLAL SHAH

Versus

REGIONAL PASSPORT OFFICER

Appearance:

MS DARSHANA DIVAKARA for Petitioner

MR ANANT S DAVE for Respondent No. 1

CORAM : MR.JUSTICE KUNDAN SINGH

Date of decision: 04/04/2001

ORAL JUDGEMENT

Rule. Learned Additional Senior Standing Counsel Mr. Anand Dave appears for the respondent and waives service of notice of Rule on behalf of the respondent.

2. Heard the learned counsel for the parties. This is a petition for a direction to the respondent authority to correct the date of birth in the passport of the petitioner as 30.5.1957 in place of 29.5.1957. It is stated by the learned counsel for the petitioner that wrong date has been mentioned in the passport of the petitioner on the basis of the school leaving certificate which contained wrong date of birth of the petitioner. The Municipal Corporation has issued a birth certificate to the petitioner showing the date of birth as 30.05.1957. The petitioner moved an application before the respondent authority on 29.3.2001 to correct the date of birth in the passport. It is also stated by the learned counsel for the petitioner that he had also submitted a certified copy of the birth certificate issued by the Municipal Corporation. However, the respondent authority informed the petitioner that they have no power to make the correct of the date of birth in the passport unless some order is passed by the Court of law.

3. In the facts and circumstances of the case, the respondent authority is directed to consider and decide the application of the petitioner for making the correction of the date of birth of the petitioner in the passport, in accordance with law within a period of one month from today. In case, the respondent authority finds sufficient material to show that some wrong date has been mentioned in the passport, the authority will correct the same. The authority concerned will be at liberty to pass appropriate orders in respect of the costs of the proceedings. With this observation this petition stands disposed of finally. Rule is made absolute accordingly with no order as to costs.

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